

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

MANUEL MATEO-EVANGELIO, JAIME)	
TREJO-CARDONA, GILBERTO CERVANTES-)	
VEGA, REYNALDO VILLALOBOS-MARTINEZ,)	
EMILIO REYES, MARIA DE LOS ANGELES)	
GONZALEZ-ROMAN, RAMIRO CERVANTES-)	
VEGA, FRANCISCO CARMELO MATIAS-)	
CASTRO, PABLO GONZALEZ-ROMAN,)	
BENIGNO VILLAGOMEZ-GARCIA, and)	
SERGIO NARCISO LOPEZ-JUAREZ, on behalf)	CLASS ACTION
of themselves and all other similarly situated)	
persons,)	
)	
Plaintiffs,)	
)	
v.)	
)	
TRIPLE J PRODUCE, INC., HOCUTT)	Civil Action No.:
BROTHERS, INC., HOCUTT FARMS, INC.,)	7:14-cv-302-FL
JUDY HOCUTT, JOEY M. HOCUTT, JAMES)	
MICHAEL HOCUTT, and M. JAY HOCUTT,)	
)	
Defendants.)	
)	

**ORDER GRANTING FINAL APPROVAL OF COLLECTIVE ACTION AND CLASS
ACTION SETTLEMENT**

This matter comes before the Court on the parties' Joint Motion for Final Approval of Collective Action and Class Action Settlement ("Joint Motion"). The Parties have jointly requested the Court to approve the Settlement Agreement ("Agreement") (attached as Exhibit 1 to the Joint Motion for Final Approval of Collective Action and Class Action Settlement) and have mutually agreed to the entry of this Order granting final approval of the settlement.

Having reviewed the Joint Motion, Joint Memorandum in support thereof, and the Settlement Agreement, along with the files and records of this case, the Court now FINDS, CONCLUDES, DECREES and ORDERS as follows:

- (1) This Court has jurisdiction over the subject matter of the litigation and over all parties

to this litigation, including all members of the certified AWP class, the certified NCWHA class, and the FLSA collective action.

(2) Neither the Settlement, nor this final approval order, nor the fact of a settlement, are an admission or concession by the Defendants of any liability or wrongdoing whatsoever.

(3) Counsel for the Plaintiffs have adequately represented Plaintiff class members to date.

(4) The plaintiff members of the AWP class, the NCWHA class, and the FLSA collective action have all been provided proper and adequate notice of the terms of this Settlement Agreement, as well as the applicable dates and procedure by which to submit any objections. No such objections to the terms of the Settlement Agreement, or the Settlement Agreement's final approval by this Court, have been received from any Plaintiff class or collective action member.

(5) The terms of the Settlement are hereby approved. The court granted preliminary approval of the Settlement and of the joint motion for class notice on January 14 and 25, 2016, Doc. 66, Doc. 68, and Doc. 71, and Plaintiffs' counsel provided timely notice to the class. After holding Fairness Hearings on June 6 and reviewing filings thereafter, the Court finds that the Settlement is fair and adequate and reasonable and equitable compromise of the claims in this case; that the Settlement is the result of extensive, arms-length bargaining between the parties, after Plaintiffs' Counsel had investigated the class claims and became familiar with the strengths and weaknesses of the case; that the Settlement is in the best interest of the named Plaintiffs and the AWP class, the NCWHA class, and the FLSA collective action that they have been certified to represent; and that the Settlement falls within the range of reasonableness and final approval.

The court dispenses with hearing scheduled September 19, 2016, because the facts and legal contentions are adequately presented in the materials before this court and hearing would not aid the decisional process, and in light of fairness hearing already held June 6, 2016, with opportunity for potential class members to opt out or collective action members to object, as set forth in the class action and collective action notices preliminarily approved.

SO ORDERED, this the 14th day of September, 2016.



LOUISE W. FLANAGAN
United States District Judge